

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ERIC WEINER, Individually and on Behalf of) CIVIL ACTION NO.: 3:17-cv-01469
All Others Similarly Situated,)
Plaintiff,) Chief Judge Crenshaw
) Magistrate Judge Newbern
v.)
TIVITY HEALTH, INC., *et al.*,)
Defendants.)

DEFENDANTS' MOTION TO DISMISS FIRST AMENDED COMPLAINT

Pursuant to the Private Securities Litigation Reform Act, 15 U.S.C. § 78u-4, *et seq.*, Defendants Tivity Health, Inc., Donato Tramuto, Glenn Hargreaves, and Adam Holland hereby move the Court to dismiss Plaintiff's First Amended Complaint for the reasons set forth in the accompanying Memorandum of Law.

WHEREFORE, the Defendants respectfully request that their Motion to Dismiss be granted and the Amended Complaint be dismissed with prejudice.

Respectfully submitted this 3rd day of August, 2018.

/s/ Wallace W. Dietz

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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of August 2018, I electronically filed the following document with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to the following:

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